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Docket-222

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

12 MAY 1993 RECEIVED

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IN REPLY REFER TO:

7330-7/1700A3

EX PARTE OR LATE FILED

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Mr. John L. Sokol, Jr.  
Executive Director  
Commonwealth of Pennsylvania  
Pennsylvania Turnpike Commission  
Harrisburg, Pennsylvania 17105

Dear Mr. Sokol:

This is in reply to your letter to Senator Arlen Specter regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals, plus a discussion paper released March 1, 1993. In sum, these rules would create more channels for public safety use than any previous action by the Commission, without requiring replacement of radio systems. With regard to radio call boxes, they were not specifically addressed in the Notice primarily because no commenter raised that issue in the earlier stages of this proceeding. We note, however, that the combination of the large increase in the number and potential capacity of channels, and the proposed technical and operational flexibility should enable the Pennsylvania Turnpike Commission to satisfy all its communications needs, including radio call boxes.

We are sensitive to the need of users of private land mobile radio spectrum and the impact that these proposals may have on their radio systems, including the costs of required modifications. Your letter will be included in the record of the proceeding and will be fully evaluated when we develop final rules in this proceeding.

W. J. ...  
...

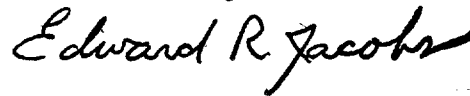
Of 1

Mr. John L. Sokol, Jr.

2.

We want to thank you for your interest in this proceeding. We expect final rules to be issued in 1994.

Sincerely,

A handwritten signature in black ink that reads "Edward R. Jacobs". The signature is fluid and cursive, with a long horizontal stroke at the end.

Edward R. Jacobs  
Deputy Chief, Land Mobile and  
and Microwave Division

Enclosures

cc:

CNTL NO - 9301897

Chief, LM&M Divison

Chief, PR Bureau

Docket Files, Room 222

P&P Branch (Chron) File

DFertig/RShiben:df/sf/rkb/lm:PR

CONGRESS/9301897

# Congressional

DUE: 5-13-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,  
AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM  
05/04/93

## LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9301897	05/04/93	04/28/93	05/20/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Senator	Arlen Specter	BC

CONSTITUENT'S NAME	SUBJECT
John Sokol	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
PRB/~m 5-6			
DATE	DATE	DATE	DATE
05/04/93			

REMARKS:

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## United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

April 28, 1993

PRB  
92-235  
1897

Ms. Linda Townsend Solheim  
Director  
Legislative Affairs  
Federal Communications Commission  
Room 808  
1919 M Street, N.W.  
Washington D.C. 20554

Dear Ms. Solheim:

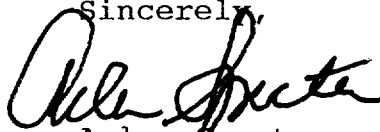
My office has been contacted by a constituent, Mr. John Sokol, Executive Director of the Pennsylvania Turnpike Commission, who has written to express the concerns of the Commission over PR Docket 92-235.

According to Mr. Sokol's letter, a copy of which I have enclosed, the implementation of this docket would seriously interfere with the public safety emergency call box system in operation along the Pennsylvania Turnpike.

Please accord the concerns raised in Mr. Sokol's letter all due consideration. I have informed him that I have referred his comments to your office. I would appreciate your office responding to Mr. Sokol directly.

Thank you for your assistance in this matter.

Sincerely,



Arlen Specter

AS/mrp  
Enclosure



COMMONWEALTH OF PENNSYLVANIA 1993 APR 13 AM 12:00  
PENNSYLVANIA TURNPIKE COMMISSION  
HARRISBURG 17105

JOHN L. SOKOL, JR., P.E.  
EXECUTIVE DIRECTOR

April 7, 1993

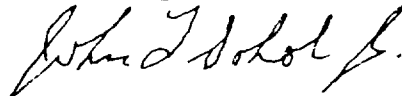
The Honorable Senator Arlen Specter  
United States Senate

Page 2  
FCC Letter  
PR Docket Number 92-235

Because of the far-reaching effects on the safety of our patrons, who are also your constituents, your assistance with these issues is critical. This is especially true because Congress has stated that the protection of the safety of life and property be given priority in frequency allocation matters, as mandated by the Federal Communications Authorization Act of 1983, House Rep. No. 98-356, 98th Cong., 1st Sess. 28 (1983).

Enclosed are comments submitted by the Pennsylvania Turnpike Commission in response to PR Docket 92-235. Your assistance in reinforcing the above concerns to the Federal Communications Commission would be greatly appreciated. These comments should be addressed to: Mr. Ralph Haller, Chief, Private Radio Bureau, Federal Communications Commission, 1919 M Street, N.W., Washington, DC 20554. The deadline for comments is April 28, 1993. If you have any comments or questions, please contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "John L. Sokol, Jr.", written in dark ink.

John L. Sokol, Jr., P.E.  
Executive Director  
Pennsylvania Turnpike Commission

Enclosure



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA TURNPIKE COMMISSION  
HARRISBURG 17105

JOHN L. SOKOL, JR., P.E.  
EXECUTIVE DIRECTOR

February 25, 1993

Mr. Ralph Haller  
Chief, Private Radio Bureau  
Federal Communications Commission  
Washington, D. C. 20554

Re: PR Docket Number 92-235 (Part 88)

Dear Mr. Haller:

The Pennsylvania Turnpike is a public highway entity operating in the private land mobile radio (PLMR) spectrum band. As part of this operation, the Pennsylvania Turnpike Commission currently owns and operates its VHF system in the 150 - 174 MHz band. In conjunction with our VHF system, the Pennsylvania Turnpike Commission also owns and operates various UHF repeating systems in the 450 - 470 MHz band, and an extensive call box system in the 72 - 76 MHz band. These systems are used to support the fire, ambulance, police, automotive, and maintenance services for the 491 miles of the Pennsylvania Turnpike. Therefore, it is with deep concern that the Pennsylvania Turnpike Commission must comment on PR Docket Number 92-235 (further referred to as Part 88).

The Pennsylvania Turnpike Commission agrees there is a need for the more efficient use of the PLMR spectrum. The Federal Communications Commission (FCC) has taken the first step, Part 88, in striding towards this goal. The implementation of new, more spectrum efficient technology is a must if the industry is to keep up with current and future communication demands. While this new technology could benefit all who use PLMR, there are some concerns that need to be noted.

First, the allocation of every third channel for Special Mobile Radio (SMR) use in the public safety band is unacceptable. Why should public safety entities go through the effort and the cost of complying to Part 88 when approximately one third of the gained channel availability will be given to SMR usage? The FCC must ensure that public safety keeps its current bandwidth and be allowed to use all the channels that will be created under Part 88. The FCC should allow for public safety expansion well into the twenty-first century. If public safety must bear the cost of complying to Part 88, then public safety should be allowed the full benefit gained by Part 88.

Mr. Ralph Haller  
February 25, 1993  
Page 2

Second, Part 88 as it is now written, is requiring the use of technology that is not yet available to the public. Additionally, this technology is expected to be in use by a specific date. These requirements raise the following questions: When will this technology be available? Will the technology be available in time to allow migration or wholesale replacement? Who will be able to manufacture it? Will the technology be made available to multiple manufacturers? How much will it cost? The FCC should take the steps necessary to ensure that a timely, broad-based market be established and cost monitored. A reasonable migration time should be established based upon when the technology is available, not by arbitrarily establishing a deadline date. Consideration for funding to cover the cost of migration should also be factored into the deadline date.

Third, radio call boxes are all but ignored in Part 88. Under current Part 90 and the proposed Part 88 (88.1263), call box output power is restricted to 1 watt. Yet,